

JUDGE MORAN

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

MAGISTRATE JUDGE ASHMAN

DOCKETED

JOSEPH WOODS,

Plaintiff,

v.

Chicago Police Officers **EDWARD DEDO**,
Star No. 16763, **JAMES SAJDAK**,
Star No. 10434, Individually, and the
CITY OF CHICAGO,

Defendants.

OCT 18 2004

04C

6686

Case No.:

COMPLAINT FOR
VIOLATION OF CIVIL
RIGHTS AND
SUPPLEMENTAL STATE
CLAIM

JURY DEMANDED

FILED FOR DOCKETING
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CLERK
U.S. DISTRICT COURT

JURISDICTION AND VENUE

1. This action arises under the United States Constitution and the Civil Rights Act of 1871 [42 U.S.C. Section 1983]. This court has jurisdiction under and by virtue of 28 U.S.C. Sections 1343, 1331, and 1367.

2. Venue is founded in this judicial court upon 28 U.S.C. Section 1391 as the acts complained of arose in this district.

PARTIES

3. At all times herein mentioned, Plaintiff Joseph Woods ("Woods") was and now is a citizen of the United States, and resides within the jurisdiction of this Court.

4. At all times herein mentioned, Defendant Edward Dedo, Star No. 16763 ("Dedo") and Defendant James Sajdak, Star No. 10434 ("Sajdak") were members of the City of Chicago Police Department, and were acting under color of state law and as the employee, agent or representative of the City of Chicago. These officers are being sued in their individual/personal capacity.

5. At all times herein mentioned, the City of Chicago was a political division of the State of Illinois, existing as such under the laws of the State of Illinois. At all relevant times, the City of Chicago maintained, managed, and/or operated the City of Chicago Police Department.

FACTUAL ALLEGATIONS

6. On or about June 14, 2004, at approximately noon, Plaintiff Woods was located on or near the 4200 block of Wilcox, Chicago, IL.

7. On that date, time, and location, the defendants arrested plaintiff without probable cause, made a false police report of the incident, caused plaintiff to be incarcerated and prosecuted, and falsely testified against the plaintiff under oath.

8. Plaintiff in no way consented to this conduct.

9. All criminal charges against the plaintiff were dismissed.

10. By reason of the above-described acts and omissions of defendants, plaintiff sustained injuries, humiliation, and indignities, was required to defend against criminal charges, and suffered great physical, mental, and emotional pain and suffering all to his damage in an amount to be ascertained.

11. The aforementioned acts of defendants were willful, wanton, malicious, oppressive and done with reckless indifference to and/or callous disregard for plaintiff's rights and justify the awarding of exemplary and punitive damages in an amount to be ascertained according to proof at the time of trial.

12. By reason of the above-described acts and omissions of defendants, plaintiff was required to retain an attorney to institute, prosecute and render legal assistance to him in the within action so that he might vindicate the loss and impairment of his rights. By reason thereof,

plaintiff requests payment by defendants of a reasonable sum for attorney's fees pursuant to 42 U.S.C. Section 1988, the Equal Access to Justice Act or any other provision set by law.

COUNT I

Plaintiff against Defendants Dedo and Sajdak for False Arrest

13. Plaintiff hereby incorporates and re-alleges paragraphs one (1) through twelve (12) hereat as though fully alleged at this place.

14. By reason of the defendant officers' conduct, plaintiff was deprived of rights, privileges and immunities secured to him by the Fourth Amendment to the Constitution of the United States and laws enacted thereunder.

15. The arrest of plaintiff was caused by the defendant officers without probable cause and was unreasonable. Therefore, the defendants are liable for this arrest under 42 U.S.C. § 1983.

COUNT II

Plaintiff against all Defendants For State Supplemental Claim of Malicious Prosecution

16. Plaintiff hereby incorporates and realleges paragraphs one (1) through twelve (12) hereat as though fully alleged at this place.

17. On information and belief, the defendant officers caused a criminal prosecution to commence against the plaintiff.

18. The defendant officers maliciously commenced and caused to be continued a criminal action against the plaintiff without probable cause for the institution of these proceedings. As a result, plaintiff was injured emotionally and otherwise from the loss of certain constitutionally protected liberty and related rights.

19. The defendant officers facilitated this malicious prosecution by the creation of false police reports, and by giving false and perjured testimony under oath.

20. The criminal proceedings were terminated in the plaintiff's favor.

21. Therefore, Defendants Dedo, Sajdak, and the City of Chicago are liable under the state supplemental claim of Malicious Prosecution.

WHEREFORE, the plaintiff Joseph Woods, by and through his attorneys, Ed Fox & Associates, requests judgment as follows against the defendants, and each of them on all claims:

1. That the defendants be required to pay the plaintiff, general damages, including emotional distress, in a sum to be ascertained;

2. That the defendants be required to pay the plaintiff special damages;

3. That the defendants, except the City of Chicago, be required to pay the plaintiff attorneys fees pursuant to Section 1988 of Title 42 of the United States Code, the Equal Access to Justice Act or any other applicable provision (except not on Count III);

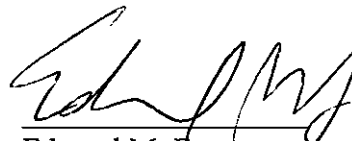
4. That defendants Dedo and Sajdak be required to pay the plaintiff punitive and exemplary damages in a sum to be ascertained;

5. That the defendants be required to pay the plaintiff costs of the suit herein incurred; and

6. That the plaintiff has such other and further relief as this Court may deem just and proper

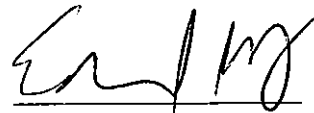
Dated: October 5, 2004

BY:


Edward M. Fox

ED FOX & ASSOCIATES
Attorneys for Plaintiff
300 W. Adams Street
Suite 330
Chicago, Illinois 60606
(312) 345-8877

PLAINTIFF HEREBY REQUESTS A TRIAL BY JURY

BY: 
Edward M. Fox

ED FOX & ASSOCIATES
Attorneys for Plaintiff
300 W. Adams Street
Suite 330
Chicago, Illinois 60606
(312) 345-8877

JUDGE MORAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

MAGISTRATE JUDGE ASHMAN

Civil Cover Sheet **04 C 6686**

This automated JS-44 conforms generally to the manual JS-44 approved by the Judicial Conference of the United States in September 1974. The data is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. The information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is authorized for use only in the Northern District of Illinois.

Plaintiff(s): **JOSEPH WOODS**Defendant(s): **CHICAGO POLICE OFFICERS,
EDWARD DEDO, Star No. 16763, JAMES
SAJKA, Star No. 10434, Individually, and the
CITY OF CHICAGO**

County of Residence:

County of Residence:

Plaintiff's Atty: Edward M. Fox
Ed Fox & Associates
300 W. Adams St., Suite 330,
Chicago, IL 60606
(312) 345-8877

Defendant's Atty:

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✓II. Basis of Jurisdiction: **3. Federal Question (U.S. not a party)**III. Citizenship of Principal
Parties (Diversity Cases Only)

Plaintiff:- N/A

Defendant:- N/A

IV. Origin : **1. Original Proceeding**V. Nature of Suit: **440 Other Civil Rights**VI. Cause of Action: **42 U.S.C. Section 1983**

VII. Requested in Complaint

Class Action: No

Dollar Demand:

Jury Demand: Yes

VIII. This case **IS NOT** a refiling of a previously dismissed case.Signature: Date: 10-15-04

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

JUDGE MORAN

In the Matter of

EASTERN DIVISION

MAGISTRATE JUDGE ASHMAN

JOSEPH WOODS

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CHICAGO POLICE OFFICERS EDWARD DEDO, Star No. 16763,
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Case Number

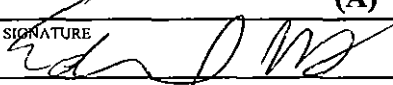

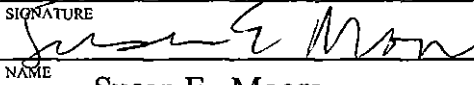
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APPEARANCES ARE HEREBY FILED BY THE UNDERSIGNED AS ATTORNEY(S) FOR:

Plaintiff

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U.S. DISTRICT COURT

(A)		(B)	
SIGNATURE 		SIGNATURE 	
NAME Edward M. Fox		NAME Garrett W. Browne	
FIRM Ed Fox & Associates		FIRM Ed Fox & Associates	
STREET ADDRESS 300 W. Adams Street, Suite 330		STREET ADDRESS 300 W. Adams Street, Suite 330	
CITY/STATE/ZIP Chicago, IL 60606		CITY/STATE/ZIP Chicago, IL 60606	
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E-MAIL ADDRESS efox@efox-law.com		E-MAIL ADDRESS gbrowne@efox-law.com	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 06205330		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 06242592	
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TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>		TRIAL ATTORNEY? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
		DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	
(C)		(D)	
SIGNATURE 		SIGNATURE	
NAME Susan E. Moore		NAME	
FIRM Ed Fox & Associates		FIRM	
STREET ADDRESS 300 W Adams Street, Suite 330		STREET ADDRESS	
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E-MAIL ADDRESS smoore@efox-law.com		E-MAIL ADDRESS	
IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE) 6237715		IDENTIFICATION NUMBER (SEE ITEM 4 ON REVERSE)	
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DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>		DESIGNATED AS LOCAL COUNSEL? YES <input type="checkbox"/> NO <input type="checkbox"/>	

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